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TO HIS EXCELLENCY
THE GOVERNOR-GENERAL
OF THE
DOMINION OF CANADA
IN COUNCIL :

THE PETITION of the CREDIT VALLEY RAILWAY COMPANY.

HUMBLY SHEWETH :

Under the authority of the several Acts of the Parliament of the late Province of Canada, the City of Toronto appropriated large sums of money and incurred a very heavy debt for the construction of an Esplanade along the southern frontier of the said City.

The Esplanade was built to afford facilities for the several lines of Railway then entering and thereafter to enter the said City, and a belt or strip of land one hundred feet wide was reserved along the said frontier from Berkeley street to Brock street for the use of such Railways.

The said Esplanade affords, in fact, the only practicable approach for Railway lines to the commercial centre of the City and to the harbour, and all the lines now entering the City converge upon it and have their stations, station grounds, and freight warehouses either upon it or adjacent thereto.

The said City has largely aided several of the said lines of Railway. It aided the Grand Trunk Railway Company by taking Stock in the Company to the amount of four hundred thousand dollars. It aided the Northern Railway Company by taking Stock in the Company to the amount of two hundred and fifty thousand dollars, and by way of bonus one hundred thousand dollars. To the Toronto, Grey and Bruce Railway Company it gave the sum of three hundred and fifty thousand dollars. To the Toronto and Nipissing Railway Company it gave the sum of one hundred and fifty thousand dollars, and to the Credit Valley Railway Company it gave the sum of three hundred and fifty thousand dollars.

The Northern Railway Company have appropriated a very large tract of land along the shore of the Bay, lying between Brock street and Bathurst street, embracing an area of about forty acres. They have enclosed the same with a fence and so covered the same with buildings, tracks, and sidings, as practically to prevent new lines of railway from approaching the said Esplanade from the west. In addition they have appropriated for their main track a strip of land one hundred feet wide from Bathurst street to the western boundary of the City, and although, from the growth of the City, the establishment of factories, and the location of public institutions, the said strip of land furnishes the only way of approach for railway lines from the west to the said City, they claim the absolute ownership of the said strip not occupied by the mere track of the Grand Trunk Railway, and either forbid new companies from encroaching on the same or dictate such terms of use, as cannot possibly be complied with. The Northern Railway Company acquired whatever rights they possess in the said lands upon the express understanding that they should pay the said City the value thereof—such value to be settled by arbitration—but although the value thereof was so settled the said Company have refused to abide by the Award, and they not only wholly repudiate the same, but they repudiate any liability to pay the

said City anything for the said land. The Northern Railway Company have therefore never paid anything for the said lands, and have not in fact yet acquired a legal title thereto, the fee being still in the Crown.

Your petitioners feel that their interests, as well as the interests of the said City of Toronto, and the interests of all those Municipalities which have contributed so largely towards the construction of the Credit Valley Railway, and in fact the interests of the whole public are being seriously prejudiced by the rights claimed by the said Company, and that in obstructing other Railway Companies and interfering with their free ingress to the City they are assailing not only the commercial prosperity of the City but the rights of all the said Municipalities to a serious degree; and they also feel that the public interest demands that an enquiry should be immediately instituted by the Government into all the facts and circumstances connected with the case, and that steps should be taken to adjust and settle the rights of all parties in the premises upon a just and equitable basis.

Your petitioners also respectfully submit that the rights of railway companies with respect to crossings, traffic arrangements, &c., are, under the existing law, not only insufficiently defined, but the machinery for ascertaining and defining such rights is too complicated, expensive, and dilatory. The divided jurisdiction created by the British North America Act with respect to Provincial and Dominion lines has also led to confusion, and requires remedial legislation.

Your petitioners also respectfully submit that the enormous development of railway enterprise during late years and the construction in every part of the country of new lines of railway have made this subject one of paramount interest to the public, and justify, if they do not demand, on the part of the Government a complete and immediate consideration of these matters, with a view of establishing a new speedy, inexpensive, and comprehensive method of dealing with them.

Your petitioners also respectfully submit that it is against the interests of the public that new Railway Companies which have been so largely subsidized, both from Provincial and Municipal funds, should be harrassed, obstructed, and delayed by the older Companies.

That all Railway Companies have been given extraordinary powers for the benefit, and not for the injury, of the public, and that it is in the interests of the public that the nature and extent of those powers should be clearly defined, and that the older companies should be compelled to so exercise them as to facilitate and assist the operations of other companies to the greatest possible extent.

Your petitioners submit that a permanent commission should be appointed, either conjointly with the several Provincial Governments of the Dominion or otherwise, as may be deemed expedient, for the purpose of taking evidence upon all matters relating to disputes between Railway Companies, having not only the powers now vested in the Railway Committee of the Privy Council and of Arbitrators appointed under the Railway Act, but also further and more extended powers including adjustment of traffic arrangements, with power to adjust and settle the same finally and without appeal, and also with power to enforce their decisions by such summary process as may be deemed best under the circumstances of each particular case.

YOUR PETITIONERS therefore pray Your Excellency :

That all the circumstances hereinbefore detailed may be taken into consideration by Your Excellency in Council with the view of such remedial legislation and redress as to Your Excellency and Your Excellency's Privy Council shall seem just in the premises.

For the Credit Valley Railway Company,

G. LAIDLAW,
President.

The following Municipalities have also granted bonuses to the said Credit Valley Railway :—

The County of Oxford to the extent of \$200,000.

The County of Wellington to the extent of \$135,000.

The County of Waterloo to the extent of \$110,000.

The County of Peel to the extent of \$75,000.

The County of Halton to the extent of \$70,000.

The City of Toronto to the extent of \$350,000.

The Town of Milton to the extent of \$30,000.

The Town of Brampton to the extent of \$20,000.

The Town of Ingersoll to the extent of \$10,000.

The Village of Streetsville to the extent of \$20,000.

The Town of Ingersoll by exchange of Debentures \$50,000

The Village of Elora by exchange of Debentures \$15,000.

The Village of Fergus by exchange of Debentures \$15,000.

The Province of Ontario has also granted aid to the said Credit Valley Railway at \$3,000 per mile=\$575,000.

THE ESPLANADE DIFFICULTY.

(From THE MAIL, Tuesday, January 28th, 1879.)

A petition was presented to the City Council last night on behalf of the Credit Valley Railway, on a subject which is of great importance not only to this city but to every municipality in the country interested in railroad enterprises. The facts in brief are as follows: The City of Toronto spent an enormous sum in constructing the Esplanade, in order to afford the various completed and projected railroads of that day, as well as the roads of the future, entrance into the city and a convenient approach to the harbour. In 1852 the Northern Railway took possession of a strip of land 100 feet in width, running from Bathurst Street to the western boundary of the city, on which they laid down a track. They also "squatted" on a tract of forty acres of land lying between Brock and Bathurst Streets, and covered it with sidings and buildings. The Company has never to this day paid a dollar for these lands, which were passed over by the Canadian Government to the City of Toronto, and are now the *bonâ fide* property of the latter. Toronto has aided the Credit Valley Road to the extent of \$350,000 conditionally on its building an independent line from Bathurst Street westward; and the projectors of the road have in good faith located their line accordingly. But, and here comes the difficulty, the Northern Railway now forbids the Credit Valley from using any portion of the 100 feet of land which the former appropriated in 1852, and also effectually bars it out of the city by refusing it the right of way through the forty-acre lot which the Northern holds by right of seizure only. In other words, the Northern Railway, having appropriated without payment, or even the formality of purchase, certain lands which command the entrance to the Esplanade, has now the boldness to prohibit other roads, possessing equal rights and privileges, from making use of those lands while seeking to comply with their agreement with the city. If the position thus taken by the Northern is tolerated, then the Credit Valley will be shut out of Toronto and its usefulness as a great public highway destroyed; and the Northern will practically be the arbiter of the destiny of all future roads running into or out of the western end of the city. Not only will Toronto be injured, but the interests of the other municipalities who have given assistance to the Credit Valley along its line, will be grievously prejudiced.

This Esplanade property has been a heart-burning for years past, and a practicable solution of the difficulty can only be secured by a thorough investigation of the

matter, and an equitable adjustment of the rights of all concerned. Some years ago the question was referred to arbitration, but the Northern Railway absolutely refused to pay the price set by the arbitrators upon the lands it has appropriated, and on which it now presumes to exercise the rights of ownership. The time has come for a final and complete settlement of the matter, and we trust the Dominion Government will do its best to bring that about without delay.

A RAILWAY COMMISSION.

[From THE GLOBE, Toronto, Wednesday, January 29th, 1879.]

At the last meeting of the City Council a petition was presented asking that the influence of the Council be used toward securing the appointment of a Dominion Railway Commission, which shall exercise over railways a great part of the jurisdiction which is now vested in Parliament and the Law Courts. This subject is one that possesses a vital interest for every inhabitant of the Dominion, and an especial interest for the citizens of Toronto for these reasons:—No place in the Dominion has done so much for railroads, has spent money more lavishly, or has taxed itself more cheerfully, than Toronto on their behalf. It is true that all the millions of railroad expenditure was made with a view to ulterior benefit, and that so far the expectations of our citizens have not been disappointed. But that is no reason why interested parties should be allowed to step in, as they are endeavouring to do, and divert all future benefit from the city's liberality into their own pockets.

The incident which has set this movement going is one of which we have already given some particulars. The Northern Railway and the Grand Trunk enter this city on a piece of public land for which they have never paid, and perhaps never will pay, a cent. Between the two lines is a piece of land which it is, on good authority, stated was intended by the Government, which owned it before Confederation, to be reserved as a means of access to the city for a line serving the country through which the Credit Valley Railway now runs. This piece of land between the two lines was totally unoccupied until it became certain that the Credit Valley road would be constructed. Then the Northern Railway suddenly jumped down, across it, a station which it had previously been agreed between the engineers of the Northern, Grand Trunk, and then *in nubibus* Credit Valley, should be built *alongside*. These facts we gave to the public a few weeks ago. A day or two after the publication of the facts the Northern and Grand Trunk Companies together

entered upon this land, and laid down new tracks, completely covering it, and, of course, blocking the way of the Credit Valley into the city. No doubt this movement was made because, having no title, the Northern Company could not have ejected the Credit Valley had the latter obtained access before the land was occupied. It is immaterial whether the Northern Company are actuated in this proceeding by a desire to prevent the Credit Valley from having access to the Esplanade, or whether they merely wish to do a good stroke of business by compelling the new company to run over their lines, or whether they wish to levy a larger sum by way of compensation than properly appointed arbitrators would award—if they awarded anything in the peculiar circumstances of the case. On either supposition the Northern Railway is acting in direct opposition to the interests of Toronto. This city spent \$800,000 at a time when that sum represented, in proportion to the wealth of the city, sixfold the burden it would now be, in filling in the part of the foreshore now known as the Esplanade. That great work was undertaken expressly with the object of providing a convenient place where all the railroads entering the city might centre, and also with the object of preventing the through lines of traffic from being diverted to the northward of the city, and thus building up some other municipality. On the surface it appears that the action of the Northern and Grand Trunk Railways is undertaken for the express purpose of keeping out the Credit Valley line, so that the existing lines may enjoy the sole benefit of the city's munificence, to the exclusion of all would-be interlopers, present or future.

The question arises. Are the citizens of Toronto going to put up with this act of spoliation, which resembles a highway robbery more than anything else? Are the fruits of wisdom, foresight, and liberality of the past generation to be monopolized by these chartered sinners and are the culprits to go unwhipt of justice? And what are the citizens of Toronto going to do about it? They might, as residuary legatees of the old Government and owners of the land on which the Northern and Grand Trunk roads enter the city, bring an action of ejectment against those companies, and as such an action would probably lie, the offenders might by that means be brought to terms. But this course would involve law costs to a frightful amount, and beside, the railroad companies might contrive to fritter away time so that two or three years would elapse before a verdict could be arrived at. In the meantime there is the Credit Valley Railroad waiting at the city limits for permission to enter and earn the last bonus, which was given by Toronto on the express condition that an independent line should be built from Bathurst Street. Clearly here is a case in which the absolute indispensability of a new tribunal to take cognizance of railroad matters is exemplified—a tribunal which would be governed by common sense and equity rather than legal forms, and one which, giving

its whole attention to railway matters, and being therefore intimately acquainted therewith, would never, having once taken up a case, lay it down unsettled.

All the Anglo-Saxon world finds itself in pretty much the same predicament just now as regards the lack of power to regulate railroad corporations. When railroad building was entered upon, the chief point considered was how to get the roads built most quickly. All questions of future difficulties were left for the future to solve. As a consequence, Great Britain and her Colonies and the United States find themselves confronted with a task of enormous magnitude, and one the difficulties of which increase as time goes on.

In the United States the question how to control railroads was complicated for a long time by the existence of the clause in the Constitution which forbids the impairment of the sanctity of contracts. Railroads contended that their charters were in the nature of contracts, and that, therefore, legislation interfering with their charters was invalid. Presuming too much upon this contention, the Granger war of 1872 was the result, and the end of the agitation consequent thereon was a decision that the railroads were subject to law whether their charters were interfered with or not. In Massachusetts, Illinois and Wisconsin there are now Boards of Railroad Commissioners, with nearly the same duties as those which we should like to see conferred upon a similar Board in the Dominion. In Britain, previous to 1873, all the legislative control exercised over railroads was vested in the Railway Committee of the Board of Trade. In that year, difficulties which had been long arising respecting unjust discriminations in freight rates and other things reached a crisis, and the result was the appointment of a Board of Railway Commissioners, with power to supervise the actual workings of the road, and to sit as a Court of Arbitration in all disputes between companies. So far the working of this Commission has given great satisfaction to the public. The very fact that such a Board exists prevents the railway companies from abusing their power in the arbitrary manner in which they formerly did abuse it. Disputes have been settled speedily and cheaply, and have become less common.

In Canada we already possess some checks upon railroads, but they are neither strong enough nor elastic enough to suit our exact requirements. We have the Railway Committee of the Privy Council, the arbitrators who assess the value of property taken, and the general supervision of tolls exercised by the Governor-General in Council. The Railway Committee consists of an indefinite number, usually three or four, of the Cabinet Ministers. It exercises general control over all disputes between railway companies, and in the past has done with efficiency the work that came before it. But it may fairly be questioned whether work of

this nature properly comes within the province of Cabinet Ministers, who may or may not possess the requisite qualifications, but who certainly are not selected as Cabinet Ministers on account of their knowledge of railway matters. It is evident that a choice from so limited a number of gentlemen as Cabinet Ministers is not likely to give us always as good a Railway Commission as the exigencies of the case require, and there is also the additional difficulty that a Committee so composed is liable to sudden decease with a mass of unsettled business before it that a new Committee must take up *de novo*. Then, the present regulation of the rates of tolls by the Governor-in-Council is unsatisfactory, and, as a matter of notoriety, does not prevent glaring cases of discrimination between different places.

We agree with the prayer of the petition which the City Council has before it, that there is urgent call for rendering the public control of railroads more efficient. Happily there is in our case no question of the power of Parliament to exercise this control. The only point to be decided upon is the expediency of the proposed new steps. Nor does it by any means follow that the creation of a Railway Commission would be an act of hostility toward the roads. On the contrary, we believe that railway shareholders and stockholders would hail such a Commission as the means of extricating their property from the operation of a system under which they are now kept in chronic litigation. The first interest of every litigant who has justice on his side is to procure a summary and common-sense decision. That this will be secured by the appointment of a Commission, whose sole business it shall be to attend to such matters, ought to be so plain that every one whose interest it is for railroad dividends to be cut into as little as possible by law costs ought to have no difficulty in seeing it. Such a Commission as that which is suggested would combine the powers of the present Railway Committee and the Arbitration Courts, and would also have the general supervision of the rates of tolls now possessed by the Governor-in-Council. But instead of only possessing power to assent or refuse assent to a scale of tolls, as now vested in the Governor-in-Council, the Commission should have liberty to make scales of tolls and to impose them on the companies; and especially the power to decide what shall be the scale of through rates where goods and passengers travel on more than one line. These are among the powers exercised by the English Railway Commission. At first the feeling of subjection caused to the English companies by the exercise of these powers was exceedingly distasteful, but now that the novelty of restraint has worn off, it is beginning to be seen that the companies themselves are better off for the curtailment of their liberty. In addition to deciding upon freight rates, the Commission would settle all disputes concerning crossings, whether a new road shall cross over or under

or on the level of the old road ; would compel an old road to re-arrange its tracks where the public good could be served thereby ; would arrange for the joint use of stations or joint use of tracks for short distances ; would settle compensations to be paid for all these privileges, and would do it quickly, instead of the slow, cumbrous, and expensive manner in which the present Courts of Arbitration work ; would compel those companies which now refuse to do it to carry cordwood, railroad ties, and telegraph poles ; and would decide a multitude of other minor points, which cannot now be settled without a resort to law.

The ultimate success of such a Commission would depend mainly upon the character and ability of the members composing it. The principal commodity required is common sense, and a disregard of formality and precedent. To that may be added as much of business experience, legal erudition, and knowledge of railroad matters as can be obtained. Every member should be of stainless personal character, should be selected for considerations entirely outside of politics, and should hold office by a tenure which would secure him from fear of political animosity, or from any other fear except the dread of dispossession for malfeasance in office. The Commission should be chosen in full view of the necessary circumstance that it will be a court of last resort. Its decisions would not be subject to review by any court in the land, and therefore all the more reason that the equity of them should be beyond dispute.

There is nothing to be gained by any further closing of the eyes to the fact that sooner or later a check must be provided upon the railroads. We see no other way in which this may be done so easily and equitably as by the appointment of a Commission to hold the balance equally between the railroads and the public. If the railways object to this just and necessary supervision, the sooner the public are made acquainted with the fact the better. As we have said, we do not believe that the vast body of owners of railroads will object. But it may be possible that the present generation of railroad officials, who have become used to the exercise of an almost irresponsible despotism, will demur to submitting to anybody. If so, the sooner railroad shareholders know of it the better. Should railroad officials endeavour to postpone or prevent the execution of this desirable reform, we are satisfied that it will be the worse for them and for the railroad interest in the end. At present the public sympathy is daily becoming more and more alienated from them. If things go on in the old way for another twenty years, we can easily imagine that it will be necessary to subject railroad companies to much harsher measures than any which public opinion is now prepared for. There are some far-sighted men who believe that the evils of the present system of railroad management are so deeply

seated as to be curable only by one method—the abolition of railroad companies and the purchase of their undertakings by Government. It is not our purpose here to discuss this phase of the question. We have said sufficient to show the desirability of the appointment of a Railroad Commission, and we have some hope that railway magnates, who cannot as a class be considered otherwise than shrewd, will see their way clearly to at least offering no factious opposition to the reform.

THE ESPLANADE DIFFICULTY.

[From *THE GLOBE*, Toronto, Saturday, February 1st, 1879.]

Mr. Cumberland, in his characteristic letter concerning the access to the Esplanade difficulty printed yesterday, succeeds admirably in throwing no light whatever on the points which the citizens of Toronto are vitally concerned to know. The public are comparatively indifferent as to the extent to which the General Manager and Board of Directors of the Northern Railway have succeeded in keeping themselves in official ignorance of the wish of the Credit Valley Company to enter upon the public land now in the possession of Mr. Cumberland's Company. What they really want to know is, why the Northern Company, which, according to Mr. Cumberland, had not the faintest idea as to what route the Credit Valley would take, should suddenly, and in direct contravention of an agreement signed by one of the Company's own officials, have plumped down a station across the route of the new road, and have proceeded to cover it with new tracks for which, in these days of depression and lessened travel, there cannot have arisen all at once such a very urgent demand. These performances would go to indicate that Mr. Cumberland, the individual, was all the time wide awake to circumstances of which Mr. Cumberland, the Manager, now professes entire and most amusing ignorance. It is quite clear that there is ample room on the 100 feet reservation for two tracks for the Northern, two for the Grand Trunk, and one for the Credit Valley; and after the latter line was accommodated there would still be enough of land left for a sixth line. Under these circumstances, what is Mr. Cumberland going to do when at length the knowledge that the Credit Valley line wants access to this land is brought home to the official intellect? Is he again going majestically to order the Credit Valley to other land? Is he going to point out an alternative route which it would bankrupt Croesus to construct? and is he for ever to keep off competitors from land which does not belong to him? It may easily be that Mr. Cumberland has "no misgivings about the title" to this land. Neither have we. It is indisputably public

land, and the fact that the Northern Company have never paid a cent for it is on record in the proceedings of the Court of Chancery. Mr. Cumberland seems to think the fencing in of this piece of land, the laying down of a railway track therein, and the payment of taxes which could not be avoided, enough of payment to satisfy the most unreasonable objector. On the strength of these achievements the General Manager, personifying the Corporation, poses as a public benefactor, instead of, as would be more appropriate, an interloper. Admitting, as he does, the fact that there are "100 feet right of way from Queen-street to Bathurst-street"—a most important admission to be made by one who has blocked up all access to that right of way—what consummate assurance must Mr. Cumberland possess when he orders off a possible competitor to a route which the General Manager describes as being partly within this right of way, but which actually appears to be entirely without it. Why should the Credit Valley Company be compelled to go even partly outside this right of way? If there is a right of way, as Mr. Cumberland, unfortunately for his case, calls it, then his Parkdale Station is an obstruction and a nuisance. Mr. Cumberland—in his capacity of General Manager, of course—seems to us to resemble a strong man armed, who has squatted in a poor man's cottage, and then patronizingly informs the rightful owner that he may sit with one foot inside the door of his own house as long as offence is not given to the High Mightiness within. Of course it was horribly "low" for the Credit Valley people to have been thankless even for small mercies; but it seems to us that the Jupiter Tonans of the Northern Railway might as justifiably have ordered the Credit Valley road to enter the city *via* Yorkville, as to have indicated for it a road which is only partly within the right of way to which the new Company have a title that—barring the important point of possession—is exactly as good as that of the Northern itself.

As to the proposed Railway Commission, the absolute necessity of such a body is now more than ever apparent. It is quite clear that if such a matter as this in dispute about the access to the Esplanade were left to the ordinary course of law, a prolonged series of law suits would ensue, which could only end in the ejection of the intruding railways from the public land, their re-admission on plainly specified terms, and the further reduction of the interest paid to those English bondholders about whose dividends Mr. Cumberland is so anxious. The need of the commission being so plain, the country will breathe more freely now it has ascertained from his own pen that the scheme meets, "conditionally," with the General Manager's "heartiest approval." Before the new tribunal Mr. Cumberland can orate as majestically and epigrammatically as he likes about "unjust invasion of rights"—squatter's rights, he should have said; about "false appeals to public prejudices," which consist in enlightening the public when their rights are being invaded; and "usurpation," con-

sisting of a simple desire to benefit from what was intended to be used as a common right. But if he thinks that a Railway Commission such as the one we want could be humbugged by a piece of special pleading like his letter, we fancy that he would soon see cause to alter his opinion about the desirability of Railway Commissions in general.

A RAILWAY COMMISSION.

[From THE MAIL, Toronto, Friday, February 14th.]

The suggestion made in these columns some time ago that the Dominion Government should establish a permanent railway commission for the settlement of difficulties such as that existing between the Northern and Credit Valley Roads, has been received by the press of the Province with a most universal commendation. For years past there has been growing up a feeling that the managers of our great lines of railway possess too much power, and use it often-times arbitrarily. In the United States, the Granger movement was a protest against railroad tariff anomalies and railroad combinations generally. In this country we have taken no active steps to fight for the rights of the people and against railroad tyranny, chiefly because, in the absence of combined effort on the popular side, the railroad giants have been invincibly strong. There is no doubt, however, that the construction of new lines of road competing with the older lines which has signalized the history of Canada for the past ten years, is to a great extent an emphatic protest against, and a determined attempt on the part of the nation to escape from, the domination of the railroad magnates who control those older lines. English capitalists and their representatives here are in the habit of upbraiding the people for encouraging these new undertakings to the prejudice of the old ones ; but they overlook the fact that the people would not tax themselves so freely without urgent cause, and that cause is mainly the intolerable arrogance that characterizes the management of the older roads. The magnate regards his road as English property, in the management of which the Canadian people have no business to interfere ; forgetting that the Canadian people have enormous proprietary rights in every one of the old lines—rights morally as sacred and as much to be respected as those of the British bondholder. It is this disregard of Canadian claims that is the source of the hostility that exists between our people and the magnates, and that has of late years sent almost every municipality in the Dominion to subsidising competitive schemes. What Canadian, or for that matter what mortal man, for example, can

understand why an American shipper in Chicago should have his wheat carried through Canada to the seaboard for less than the Canadian shipper at St. Mary's or St. Thomas is compelled to pay? The magnate says he can't be bothered with local freight; in other words, Canadian interests are subordinate to foreign interests, and the road is run not as a Canadian institution for the benefit of the Canadian people, but principally and primarily as an instrument for the accommodation or profit of outsiders.

The existence of this feeling of hostility is much to be deplored. It works mutual prejudice and benefits nobody; but how to remove it is a problem yet to be solved. There can be no doubt, however, that the establishment of a tribunal such as the railway commission, standing impartially between the people and the corporations, and arbitrating on the difficulties that are ever cropping up, would tend to that end. It would protect popular rights, while at the same time protecting the railroad corporations from the injury their managers inflict on them by constantly bringing them into collision with the people. In short, a tribunal of this kind would be a source of security and strength to all concerned; it would be to the mutual advantage of the railway and its Canadian customer. In England a somewhat similar institution has been in existence for years, and there the railroads would be the first to acknowledge its great practical utility. It does away to a great extent with costly lawsuits, and deals out a ready and equitable justice. Such scandals as the Esplanade difficulty—in which a powerful corporation is actually using a piece of public property, which it has appropriated from the taxpayers of the City of Toronto, as a weapon for crushing out a younger and weaker rival to which those taxpayers have given a large subsidy—are impossible there. The powerful are prevented from injuring the weak, and the weak have not to combine in a spirit of angry defiance against the strong. Mutual confidence is engendered with beneficial results to all parties. We trust the Dominion Government, when they have disposed of the important measures with which they were specially charged by the electorate in September, will turn their attention to this important subject. It is not a political one; every man is interested in it, and we are sure Reformers equally with Conservatives would unite in the work. The time has come for the people to stand up for themselves and insist on just treatment from the powerful railroad corporations; and since the latter cannot be persuaded to move even half way in that direction, we can only look to the supreme power of the State for the assistance it owes its subjects in all matters affecting their present welfare and future prosperity.

